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CENTRAL FAX CENTERNIXON PEABODY LLP  
100 Summer Street  
Boston, Massachusetts 02110-2131

DEC 20 2006

Attorney's Docket No. 003252-053292

Page 1 of 3

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed at 201) below or an original, first and joint inventor (if plural names are listed at 201-208 below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## METHODS AND COMPOSITIONS FOR INHIBITING CHOLESTEROL UPTAKE

which is described and claimed in:

- ☐ the specification attached hereto.
- ☐ the specification in U.S. Application Serial Number \_\_\_\_\_ filed on \_\_\_\_\_;
- ☒ the specification in PCT International Application Number PCT/US2004/003020 filed on February 3, 2004;
- ☒ I have reviewed the preliminary amendment filed concurrently with the specification which is part of the application as filed;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign/PCT Applications and Any Priority Claims Under 35 U.S.C. §119:			
Application No.	Filing Date	Country	Priority Claimed Under 35 U.S.C. §119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 CFR §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

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Page 2 of 3

Prior U.S. Applications or PCT International Applications Designating the U.S. Benefit Under 35 U.S.C. §120					
U.S. Applications			Status (Check One)		
Application Serial No.	U.S. Filing Date	Patented	Pending	Abandoned	
PCT Applications Designating the U.S.					
Application No.	Filing Date	U.S. Serial No. Assigned			
PCT/US2004/003020	02/03/2004				X

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)  
(35 U.S.C. §119(e))**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Applicant	Provisional Application Number	Filing Date
Farber, S. et al	60/444,475	02/03/2003

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) with full powers of association, substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Ronald I. Eisenstein (Reg. No. 30,628)	David S. Resnick (Reg. No. 34,235)	Michael L. Goldman (Reg. No. 30,727)
Leena Karttunen (L0207)	Gunnar G. Leinberg (Reg. No. 35,584)	Edwin V. Merkel (Reg. No. 40,087)
Joseph Noto (Reg. No. 32,183)	J. Amelia Feulner (Reg. No. 58,039)	Candace Summerford (Reg. No. 58,109)

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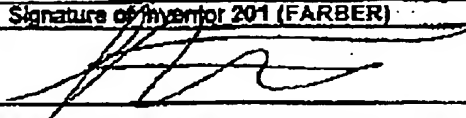
Page 3 of 3

<b>SEND CORRESPONDENCE TO:</b>	<b>DIRECT TELEPHONE CALLS TO:</b>
David S. Resnick NIXON PEABODY LLP 100 Summer Street Boston, Massachusetts 02110-2131	David S. Resnick (617) 345-8057

201	<b>FULL NAME OF INVENTOR</b>	<b>LAST NAME</b>	<b>FIRST NAME</b>	<b>MIDDLE NAME</b>
	<b>RESIDENCE &amp; CITIZENSHIP</b>	<b>CITY</b>	<b>STATE OR FOREIGN COUNTRY</b>	<b>COUNTRY OF CITIZENSHIP</b>
	<b>POST OFFICE ADDRESS</b>	<b>POST OFFICE ADDRESS</b>	<b>CITY</b>	<b>STATE OR COUNTRY AND ZIP CODE</b>
		Farber	Steven	
		Baltimore Cherry Hill	MD New Jersey	US
		222 Gravel Bend Road	Baltimore Cherry Hill	MD 21212 New Jersey, 08034

202	<b>FULL NAME OF INVENTOR</b>	<b>LAST NAME</b>	<b>FIRST NAME</b>	<b>MIDDLE NAME</b>
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	<b>POST OFFICE ADDRESS</b>	<b>POST OFFICE ADDRESS</b>	<b>CITY</b>	<b>STATE OR COUNTRY AND ZIP CODE</b>
		Smart	Eric	J.
		Versailles	KY	US
		1495 Sellers Mill Road	Versailles	KY 40383

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signature of Inventor 201 (FARBER)	Date:
	12/12/06
Signature of Inventor 202 (SMART)	Date:

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Page 3 of 3

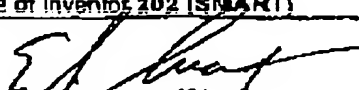
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		Farber	Steven	
		Cherry Hill	New Jersey	US
		222 Gravel Bend Road	Cherry Hill	New Jersey, 08034

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<b>Signature of Inventor 201 (FARBER)</b>	<b>Date:</b>

<b>Signature of Inventor 202 (SMART)</b>	<b>Date:</b>
	12/20/06